

Claim 4, dependent on claim 3, is deleted because it referred to subject matter found in a subsequent claim, in particular claim 5.

New dependent claim 36, dependent on claim 5, is added to replace deleted claim 4, such that the subject matter claimed in claim 36 has now proper antecedence.

Claim 2 is amended to correct a clerical error; the claim now ends with a period.

Claim 5 is amended to respect the new claim dependency.

Claims 20 and 21 are amended to correct antecedence inconsistencies.

Claim Rejections Under 35 U.S.C. § 112:

Claims 1-24 are rejected under 35 U.S.C. 112 second paragraph, as being indefinite and for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is respectfully submitted that there is no ambiguity regarding the use of "a semiconductor laser module" in the preamble and the use of "a semiconductor laser element" in the claim. The two expressions are clearly distinct both with respect to readability and with respect to antecedence and one is not used in lieu of the other. The phrase "a semiconductor laser module" is directed to an entity as a "whole" whereas the phrase "a semiconductor laser element" relates to a part of the "whole." This wording is used in the background of the invention, first paragraph, wherein a clear distinction between a semiconductor laser module and a semiconductor laser element is made. Applicant disagrees with Examiner's rejection.

Since Applicant does not consider that the claims are indefinite, the claims are not amended to overcome the rejection under 35 U.S.C. 112 second paragraph.

Claim Rejections Under 35 U.S.C. § 102:

Claims 1-11, 16-27, 29-32 and 35 are rejected under 35 U.S.C. 102(c) as being anticipated by Aikiyo (US Patent No. 6,385,222).

It is respectfully submitted that the reference cited by Examiner to reject the claims as being anticipated is improperly cited. The reference is in fact the parent case of

the present application from which a priority claim is provided for the present application. Citation of the parent is inappropriate in the present situation.

Claim Rejections Under 35 U.S.C. § 103:

Claims 12-15, 28, 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aikiyo (US Patent No. 6,385,222).

The prior art reference also appears to be improperly cited, as the inventor of US Patent No. 6,385,222 is also an inventor of the present application and both are assigned to the same assignee, The Furukawa Electric Co., Ltd.

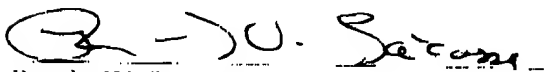
No amendment was made to the claims to overcome the rejections under 35 U.S.C. 102(c) and 103(a).

No new matter has been added.

Please also charge any additional fees required or credit any overpayment to Deposit Account No: 50-1142.

Applicant respectfully submits that the claims are allowable, and Applicant requests reconsideration of the present application.

Respectfully,


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ATTACHMENT B**Marked Up Deleted and Amended Claims**

A marked up copy of the deleted and amended claims is provided as follows:

Delete claim 4

Claims 2, 5, 20, 21, 22 and 36

2. (Once amended) A semiconductor laser module as defined in Claim 1, comprising an optical fiber optically coupled for receiving laser light emitted from the semiconductor laser element[;].

[4. A semiconductor laser module as defined in Claim 3, wherein the surge suppression circuit comprises a diode disposed in series with said thermo-module.]

5. (Once amended) A semiconductor laser module as defined in Claim [4] 3, comprising a surge suppression circuit for preventing surge current from flowing into said thermo-module.

20. (Once amended) A semiconductor laser module as defined in Claim 16, comprising: a lensed optical fiber in which a lens is formed at [the] a tip end portion onto which laser light is incident.

21. (Once amended) A semiconductor laser module as set forth in Claim 1 comprising:
a package having a through hole communicating from the inside of the package to the outside thereof for accommodating the semiconductor laser element and the thermo-module;

an optical fiber supporting member disposed within the through hole;

wherein an end portion side of an optical fiber is for being introduced from the outside of said package into the inside thereof via a through hole provided in said optical fiber supporting member, and wherein [the] a first substrate is thermally isolated from said optical fiber supporting member.

22. (Once amended) A semiconductor laser module as defined in Claim 21, comprising a lensed optical fiber in which a lens is formed at [the] a tip end portion onto which laser light is incident.

36. (New) A semiconductor laser module as defined in Claim 5, wherein the surge suppression circuit comprises a diode disposed in series with said thermo-module.